

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
WILLIAM N. VINNIE, JR., )  
Defendant. )

CASE NO. CR 04-326 L

DETENTION ORDER

Offenses charged:

- Count 1: Conspiracy to Distribute Cocaine and Cocaine Base, in violation of Title 21, U.S.C., Sections 841(a)(1), 841(b)(1)(B), 841(b)(1)(C) and 846;
- Count 2: Distribution of Cocaine and Cocaine Base, in violation of Title 21, U.S.C., Sections 841(a)(1) and 841(b)(1)(C);
- Count 3: Distribution of Cocaine, in violation of Title 21, U.S.C., Sections 841(a)(1) and 841(b)(1)(C); and
- Count 4: Distribution of Cocaine Base, in violation of Title 21, U.S.C., Sections 841(a)(1) and 841(b)(1)(B).

1 Date of Detention Hearing: August 11, 2005.

2 The Court, having conducted an uncontested detention hearing pursuant to Title  
3 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for  
4 detention hereafter set forth, finds that no condition or combination of conditions which the  
5 defendant can meet will reasonably assure the appearance of the defendant as required and  
6 the safety of any other person and the community. The Government was represented by  
7 Kelly Harris. The defendant was represented by Michele Shaw.

8 The Government filed Motion for Detention, to which the defendant stipulated.

9 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

10 (1) There is probable cause to believe the defendant committed the  
11 conspiracy drug offense. The maximum penalty is in excess of ten years.  
12 There is therefore a rebuttable presumption against the defendant's  
13 release based upon both dangerousness and flight risk, under Title 18  
14 U.S.C. § 3142(e).

15 (2) Nothing in this record satisfactorily rebuts the presumption against  
16 release for several reasons:

17 (a) The defendant poses a risk of nonappearance based on his  
18 unknown background information, his unknown ties to this  
19 district, and his outstanding felony warrant. Moreover, the Court  
20 finds the defendant's history of failing to appear as indicative of  
21 future flight risk.

22 (b) The nature of the instant offense, combined with the defendant's  
23 criminal history and outstanding felony warrant, defeats any  
24 evidence which may have overcome the presumption against  
25 release.

26 (c) The defendant stipulated to detention.

- 1 (3) Based upon the foregoing information which is consistent with the  
2 recommendation of U.S. Pre-trial Services, it appears that there is no  
3 condition or combination of conditions that would reasonably assure  
4 future Court appearances and/or the safety of other persons or the  
5 community.

6 **It is therefore ORDERED:**

- 7 (1) The defendant shall be detained pending trial and committed to the  
8 custody of the Attorney General for confinement in a correction facility  
9 separate, to the extent practicable, from persons awaiting or serving  
10 sentences or being held in custody pending appeal;  
11 (2) The defendant shall be afforded reasonable opportunity for private  
12 consultation with counsel;  
13 (3) On order of a court of the United States or on request of an attorney for  
14 the Government, the person in charge of the corrections facility in which  
15 the defendant is confined shall deliver the defendant to a United States  
16 Marshal for the purpose of an appearance in connection with a court  
17 proceeding; and  
18 (4) The clerk shall direct copies of this order to counsel for the United  
19 States, to counsel for the defendant, to the United States Marshal, and to  
20 the United States Pretrial Services Officer.

21 DATED this 11<sup>th</sup> day of August, 2005.

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24 Monica J. Benton  
25 United States Magistrate Judge  
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